

Check List for Preparing a Complete Application
For Nationwide Permit Applications in New York

The purpose of this document is to assist permit applicants and their consultants to prepare complete applications for nationwide permit (NWP) affirmations. This list contains items listed in General Condition 13 (notification) of the NWPs as well as items listed as regional conditions and/or requirements needed to determine compliance with other applicable general conditions of the permit. This list will initially be sent to consultants known to work in New York and will be posted on the Buffalo District homepage (<http://www.lrb.usace.army.mil/orgs/offices/form.htm>). It will also be included with permit application request letters and additional information letters. The reason for the request for duplicate copies is to provide copies to the New York State Department of Environmental Conservation, which will expedite our review of the proposal. Drawings should be in black and white rather than color coded.

___ 5 copies of the Completed Joint Corps-NY State Application Form that includes the following:

- ___ Name, address, telephone number of prospective permittee
- ___ Location of proposed project
- ___ Brief description of proposed project
- ___ Project purpose
- ___ Description of direct and indirect adverse environmental effects that will be caused by the project
- ___ Identify other Department of the Army permits used or intended for use on the project
- ___ Identify any other Federal, State, or local agency authorizations received or required for the proposed work.
- ___ Please ensure the application form is signed
- ___ If appropriate, signed statement of authorization for an agent to act on applicant's behalf
- ___ 5 copies of the site location map (USGS Map; on 8.5 X 11 inch paper)
- ___ 5 copies of the Plan view Drawing (Must show all waters of the U.S. and all project impacts; 8.5 X 11 inch paper; reduced drawing or match-line drawings)
- ___ 5 copies of cross section drawing(s) that include the Ordinary High Water Mark (OHWM) when appropriate.
- ___ 2 copies of the full-size drawings (these are optional, but will assist our review)
- ___ If parcel may contain a Federally listed threatened or endangered species or critical habitat, the name of the species must be submitted. (This information may be obtained from the U.S. Fish and Wildlife Service.)
- ___ If a property listed, or eligible for listing in the National Register of Historic Places will be affected, the name of the property and a location map must be submitted. (This information may be obtained from the State Historic Preservation Office.)
- ___ Stream work projects need to include the length of stream to be impacted. A stated determination as to whether or not the stream is ephemeral, intermittent or perennial will be helpful.
- ___ Temporary construction, access, and dewatering activities must include a restoration plan
- ___ Projects occurring within the Coastal Zone Management (CZM) Area of Lakes Erie and Ontario, or the Niagara or St. Lawrence Rivers should include a completed Federal Consistency Certification form.
- ___ A description of the proposed construction practices that will be implemented to perform the proposed work and of direct and indirect effects to waters of the U.S. of the proposed

construction practices.

NWP 7, 12, 14, 18, 21, 29, 34, 38, 39, 40, 41, 42, 43 applications:

- _____ 2 copies of the Delineation of any Special Aquatic Sites (wetlands, vegetated shallows, riffle & pool complexes....) Include the report, all data sheets, maps and photographs.
- _____ 2 copies of a compensatory mitigation proposal to offset losses of more than 1/10 acre of waters of the U.S.
- _____ If fill is proposed for waters located within a 100-year floodplain, application must contain a statement that the fill either complies with FEMA-approved local floodplain construction requirements, or that compliance is not required because the local community is not a participant in FEMA programs.
- _____ 2 sets of photographs of the streams and wetlands
- _____ The width of vegetated buffers that will be maintained along remaining open waters on the parcel and the proposed legal means that will be used to insure protection.

NWP 3-Maintenance applications:

- _____ Evidence of previously existing depths or evidence of existing depths immediately outside the proposed work area for activities involving the removal of accumulated sediments and debris in the vicinity of existing structures to restore the waterway to previously existing depths.
- _____ Justification for a waterward encroachment exceeding eighteen inches from existing bulkheads, such as geologic conditions, engineering requirements, etc.

NWP 7-Outfall Structures and Maintenance applications:

- _____ Description of proposed measures to protect aquatic resources from known contaminants, such as isolating the area from the larger waterbody, using hydraulic dredging, etc.

NWP 12-Utility Line Activities applications:

- _____ Notification for aerial transmission lines over Section 10 waters must include the nominal system voltage and the additional clearance above low steel bridges, if available, or above maximum high water elevation.
- _____ A detailed justification of the need for the placement of permanent access roads or substations within a water of the U.S. and a written description to support that additional avoidance and minimization measures are not practicable.

NWP 39-Residential, Commercial & Institutional Developments, 42-Recreational Facilities or 43-Stormwater Management Facility applications:

- _____ A statement explaining how avoidance and minimization of losses of waters of the U.S. will be achieved on the project site.
- _____ For projects involving stream channelization or stream relocation, please provide the average annual flow in cubic feet per second (cfs) of the stream. (Note: 1 square mile of drainage area produces approximately a flow of 1 cfs.)

NWP 40-Agricultural Activities applications:

- _____ Documentation which demonstrates that the proposed building is necessary for agricultural production of the land.

NWP 41-Reshaping Existing Drainage Ditches applications:

- _____ Documentation on serviceability of the ditch system and a history of maintenance

activities.

Other:

In most cases, submittal of the above materials should be sufficient information for the Corps to evaluate a project. This checklist is provided as a tool to assist the public with the new NWP program. It may not be all inclusive and may be modified over time. Additional information may be requested of an applicant on a case-by-case basis to answer project specific questions. It may be necessary for the applicant to obtain materials from State and Federal Resource Agencies. Addresses are given below:

U. S. Fish and Wildlife Service
3817 Luker Road
Cortland, New York 13045

New York State Office of Parks,
Recreation, and Historic Preservation
Peebles Island
P.O. Box 189
Waterford, New York 12188

New York State Department of State
Division of Coastal Resources
Consistency Review Unit
41 State Street, 8th Floor
Albany, New York 12231

New York State Department of
Environmental Conservation
Region 6
State Office Building
207 Genesee Street
Utica, New York 13501

New York State Department of
Environmental Conservation
Region 6
State Office Building
317 Washington Street
Watertown, New York 13601

New York State Department of
Environmental Conservation
Region 7
1285 Fisher Avenue
Cortland, New York 13045

New York State Department of
Environmental Conservation
Region 7
615 Erie Boulevard West
Syracuse, New York 13204

New York State Department of
Environmental Conservation
Region 8
6274 East Avon-Lima Road
Avon, New York 14414

New York State Department of
Environmental Conservation
Region 9
270 Michigan Avenue
Buffalo, New York 14203

New York State Department of
Environmental Conservation
Region 9
128 South Street
Olean, New York 14760